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F. #2015R01885

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3/29/2019 10:09 am

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

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UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

Cr. No. 17-587 (JMA)

CHRISTOPHER MCPARTLAND and  
THOMAS J. SPOTA,

Defendants.

----- X

WHEREAS, the government intends to produce to the defendants certain discoverable materials which contain sensitive and/or personal information (the "Confidential Materials");

WHEREAS, granting the attached protective order will allow the parties to obtain and review the Confidential Materials expeditiously, without the need for extensive redaction of the materials, and without risking disclosure of any witnesses' sensitive or personal information;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that:

1. The materials produced by the government pursuant to this Stipulation and Order may be used by the defendants and their defense counsel in this matter only for purposes of trial preparation, defense at trial against the charges set forth in the above-

captioned indictment, and any related appellate matters or other legal proceedings arising from the above-referenced trial.

2. While the defendants shall not be provided with copies of the Confidential Materials produced pursuant to this Stipulation and Order, the defendants may review these materials at their respective attorneys' offices or elsewhere in the presence of their attorneys.

3. Absent further order of the Court, the defendants and their defense counsel may not disclose or disseminate the Confidential Materials or any copies, notes, transcripts, documents or other information derived or prepared from these materials to anyone who has not signed this Stipulation and Order, other than those of defense counsels' legal staff and any potential witnesses, vendors and/or investigators that have been advised of and agreed to be bound by the terms of this Stipulation and Order. If the defendants, their defense counsel, or anyone else who has received these materials from the defendants or their counsel pursuant to the terms of this Stipulation and Order seeks to make further disclosure or dissemination of the materials, notice must first be provided to the government and the Court, and such notice must be given sufficiently in advance of the contemplated disclosure or dissemination so as to permit briefing and argument on the propriety thereof.

4. In the event that the parties seek to file any such materials with the Court or otherwise use the materials during a court proceeding, the parties will comply with Rule 49.1(a) of the Federal Rules of Criminal Procedure, and will ensure that the materials are appropriately redacted to protect confidential information, and will offer the redacted versions of the Confidential Materials into evidence unless it is necessary to offer the

unredacted versions, in which case the parties will seek permission from the Court before doing so.

5. If the defendants obtain substitute counsel, the undersigned defense counsel will not transfer any portion of the Confidential Materials or any copies, notes, transcripts, documents or other information derived or prepared from the Confidential Materials unless and until substitute counsel enters into this Stipulation and Order;

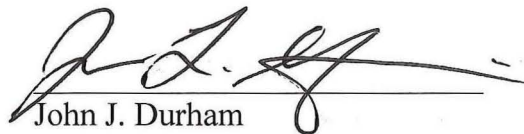
6. The defendants and their defense counsel will return to the government all copies of the Confidential Materials provided by the government through discovery in this case at the conclusion of this matter, specifically either within seven days of (a) a verdict of acquittal rendered by a jury; (b) the date of sentencing if no appeal is filed; (c) the issuance of an appellate decision rendering a final judgment if no collateral attack is filed; or (d) the issuance of a decision rendering a final judgment with respect to a collateral attack.

7. Any violation of this Stipulation and Order may result in: (a) the immediate return to the government of the Confidential Materials, and/or (b) contempt of Court or other remedy to be determined by the Court, after reasonable notice to the defendants and an opportunity to be heard.

Dated: Central Islip, New York  
March 27, 2019

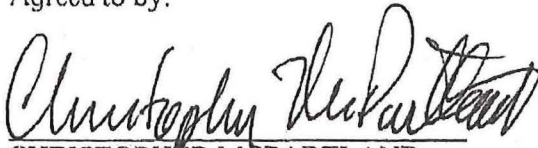
RICHARD P. DONOGHUE  
United States Attorney  
Eastern District of New York

By:



John J. Durham  
Lara Treinis Gatz  
Justina L. Geraci  
Assistant U.S. Attorneys

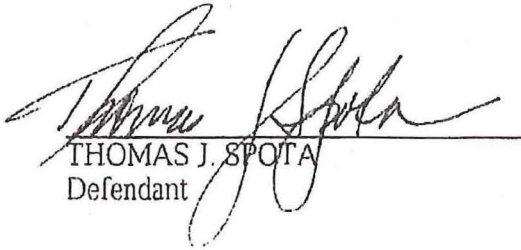
Agreed to by:



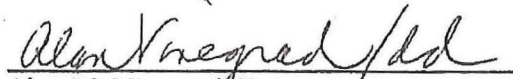
CHRISTOPHER MCPARTLAND  
Defendant



Larry H. Krantz, Esq.  
Bradley Gershel, Esq.  
Lisa A. Cahill, Esq.  
Attorneys for Defendant MCPARTLAND



THOMAS J. SPOTA  
Defendant



Alan M. Vinegrad, Esq.  
Erin K. Monju, Esq.  
Attorneys for Defendant SPOTA

SO ORDERED:

/s/ JMA

3/29/2019

THE HONORABLE JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF NEW YORK